

May

## U.S. Department of Labor

Employment and Training Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Executive Registry

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MEMORANDUM FOR: ALL FEDERAL AGENCIES  
Assistant Secretaries for Administration  
and Management

FROM: MARY ANN WYRSCH *MaryAnn Wyrsch*  
Director  
Unemployment Insurance Service

SUBJECT: Unemployment Compensation for Federal  
Employees (UCFE) Program - Privacy Act  
Release Statements

The Department of Labor (DOL) has determined, based on a review of the Privacy Act of 1974, that insofar as the wage and separation information required to process UCFE claims is obtained from general personnel records, under "routine usage," it is not necessary for State employment security agencies to obtain a written release from UCFE claimants in order to acquire wage and separation information on these claimants from their former Federal employing agencies.

Under the Privacy Act of 1974, no Federal agency is permitted to disclose any record in a system of records without a written request by, or the prior written consent of, the individual to whom the record pertains, 5 U.S.C. section 552a(b). However, there are several exceptions to this rule enumerated in the Act, among which is disclosure "for a routine use as defined in subsection (a)(7) of this section and described under subsection (e)(4)(D) of this section." Id. section 552(b)(3). Section 552a(a)(7) defines "routine use" as "the use of such record for a purpose which is compatible with the purpose for which it was collected." Each agency maintaining a system of records is required, by section 552a(e)(4)(D), to publish an annual notice in the Federal Register concerning that system of records including "each routine use of the records contained in the system, including the categories of users and the purpose of such use."

The Office of Personnel Management (OPM) maintains, as a government-wide "system of records," the general personnel records (including Official Personnel Folders) on current and former Federal employees. Included in these records is the wage and separation information needed to process UCFE claims. Such records are located both at OPM and with the personnel officers at the respective Federal agencies. OPM has determined that routine use includes disclosure of wage and separation information to State employment security agencies for the purpose of adjudicating UCFE claims.

DATA REGISTRY  
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